

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MAX A. RADY,

Plaintiff,

v.

THE BOSTON CONSULTING GROUP, INC.  
and De BEERS UK LIMITED,

Defendants.

Case No.: 1:20-cv-02285 (ALC)

Judge Andrew L. Carter, Jr.

**ORAL ARGUMENT REQUESTED**

**DEFENDANT THE BOSTON CONSULTING GROUP INC.'S NOTICE OF MOTION  
TO DISMISS PLAINTIFF'S PATENT INFRINGEMENT CLAIM (COUNT I)**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Motion to Dismiss, Defendant The Boston Consulting Group, Inc. ("BCG"), by and through its undersigned attorneys, will move this Court, before the Honorable Andrew L. Carter, Jr., United States District Court Judge, for an order dismissing Count I of Plaintiff Max A. Rady's Second Amended Complaint (ECF No. 30) for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6).

Dated: New York, New York  
October 5, 2020

Respectfully Submitted,

MORRISON & FOERSTER LLP

By: *s/ Kyle Mooney*

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Counsel for Defendant  
THE BOSTON CONSULTING GROUP,  
INC.

**CERTIFICATE OF SERVICE**

I, Neal F. Burstyn, HEREBY CERTIFY that on October 5, 2020, a true and correct copy of the foregoing document was filed and served via Electronic Case Filing (ECF) on all counsel of record who have consented to electronic service, and served via electronic mail on all counsel listed below:

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Dated: October 5, 2020

*Neal F. Burstyn*

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